

REMARKS/ARGUMENTS

Claims 1-22 are active in this application.

Claim 1 has been amended to include the limitation of claim 15, as originally presented, and is supported in the specification on page 11, lines 34-35.

Claim 15 has been amended. Support for the amendment to claim 15 is in claim 1, as originally presented.

Claims 1-3, 10, and 14 have been amended to remove the non-elected subject matter in light of finality of the Restriction imposed by the Office.

Claim 22 has been added. Support for the added claim 22 is found in the specification on page 12, lines 13-21.

No new matter has been added.

Applicants wish to thank the Examiner for the helpful discussion with Applicants' representatives on October 13, 2004. During this discussion, the differences between the prior art and the present invention were discussed. Specifically, the differences between the homogeneous catalyst systems, comprising monodentate and bidentate phosphine ligands, of the claimed invention and the prior art were discussed. Further to the discussion, Applicants amended claim 15 to recite a process carried in the presence of hydrogen and a homogeneous catalyst system comprising bidentate phosphine ligands. In addition, it was agreed that the objection of claims 2-21 can be overcome by deletion of the non-elected subject matter from these claims.

The rejection of claim 1 under 35 U.S.C. § 102(b) over Marko et al., *Journal of Organometallic Chemistry*, vol. 81, pages 411-414 is respectfully traversed.

The claimed invention is a process for preparing amines. In particular, this process is carried out at a temperature of -40-100 °C and in the presence of a homogeneous catalyst

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system comprising at least one metal atom selected from the group consisting of Rh, Ru, Ir, Pd, Pt, Co and Ni and one or more monodentate or bidentate achiral or chiral ligands.

In contrast, Marko describes a process at a temperature of 150-200 °C for the preparation of amines, using a homogeneous catalyst system consisting of $\text{Co}_2(\text{CO})_8$, PBU_3 or PAr_3 (page 413, last paragraph), hydrogen, and ethanol (page 411, condition (a)).

Applicants have discovered a higher reactivity catalyst system, which facilitates the preparation of amines at lower temperatures, i.e., -40-100 °C. Notably, nearly quantitative conversions (>99%) to the desired amines are obtained in the presence of the claimed catalyst system, using ketones (Table 2, page 22 of the specification) or aldehydes (Table 4, page 24 of the specification) as the starting materials. In addition, high chemoselectivity of the claimed catalyst system allows to significantly reduce the extent of the undesired keto group reduction (Table 3, page 23 of the specification), thus providing amines in higher yields.

Accordingly, withdrawal of the rejection under 35 U.S.C. § 102(b) is requested.

The objection of claims 2-21 has been addressed by the amendment.

Applicants submit that the application is now in condition for allowance. Early notification of such allowance is requested.

Respectfully submitted,

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